IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

Bail Appl..No. 3133 of 2007()

PETITIONER/ACCUSED

SEBASTIAN M.D.(AGED 39 YEARS),
S/O DEVASIA, MADATHIL PARAMBIL (H),
KODIYATHUR DESOM, KOZHIKODE TALUK, KOZHIKODE.

BY ADV. SRI.M.ASOKAN
SRI.DEVAPRASANTH.P.J.

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY S.H.O., MUKKOM, KOZHIKODE DISTRICT,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No. 3133 of 2007

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DATED: 29-05-2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner who is the father of an 18 year old girl Gitty Sebastian who is alleged to have eloped with one Abhilash seeks anticipatory bail on the allegation that the Mukkom Police are at his heels at the instance of his daughter who is alleged to have lodged a complaint alleging commission of an offence punishable under Sec. 307 I.P.C. for not accepting the alliance between her and Abhilash.

2. Even though the learned Public Prosecutor submitted that no crime has been registered as on yesterday, the counsel for the petitioner would assert that the Mukkom Police has subsequently registered Crime No. 208 of 2007.

3. Sri.P.G. Thambi, the learned Director General of Prosecutions intervened to submit that having regard to the peculiar facts and circumstances of the case, the petitioner deserves to be released on anticipatory bail in case he is arrested in connection with the above allegation.

4. Accordingly, a direction is issued to the Station House Officer of Mukkom police station or the investigating officer concerned to release the petitioner on bail for a period of one

month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. **Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.**

2. **The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.**

3. **The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.**

4. **Petitioner shall not commit any offence while on bail.**

5. **Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.**

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,

JUDGE.

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